

Intellectual Property Law

90 Park Avenue New York NY 10016

Main 212 336 8000 Fax 212 336 8001 Web www.arelaw.com Partners

Daniel Ebenstein
Neil M. Zipkin
Anthony F. Lo Cicero
Kenneth P. George
Chester Rothstein
Charles R. Macedo
Douglas A. Miro
Brian A. Comack
Max Vern
Holly Pekowsky
Benjamin M. Halpern*
Mark Berkowitz
Charles P. LaPolla

Founding Partners Morton Amster (1927 - 2019) Jesse Rothstein (1934 - 2003)

Senior Counsel

Marion P. Metelski
Alan D. Miller, Ph.D.

Marc J. Jason
Richard S. Mandaro

Matthieu Hausig
Brian Amos, Ph.D.

Associates
Benjamin Charkow
Suzue Fujimori
Hajime Sakai, Ph.D.
David P. Goldberg
Sandra A. Hudak
Tuvia Rotberg
Dexter Chang
Keith J. Barkaus
Michael R. Jones
Christopher Lisiewski
Albert J. Boardman

Of Counsel Philip H. Gottfried

* Not admitted in New York

Mark Berkowitz
Direct 212 336 8063
E-mail mberkowitz@arelaw.com

October 5, 2020

VIA ECF

Honorable Sarah L. Cave, U.S.M.J. United States District Court, S.D.N.Y. 500 Pearl Street New York, NY 10007-1312

Re: Joint Letter-Motion for Further 14-Day Stay of Discovery *Coty Inc. et al v. Cosmopolitan Cosmetics Inc. et al.*

Case No. 1:18-cv-11145-LTS-SLC

Dear Judge Cave:

We represent the Defendants in the above-referenced action. We write on behalf of all Parties and pursuant to the Court's August 26 and September 15, 2020 Orders (ECF Nos. 112 & 114), which stayed fact discovery through October 2 and directed the Parties to file by October 5 a joint letter stating whether they were able to reach a settlement (and otherwise attaching a proposed revised discovery schedule).

As stated in the Parties' September 14 letter (ECF No. 113), the Parties have reached a settlement agreement in principle. The Parties have exchanged several drafts of a written agreement and are continuing to negotiate the final written terms of such agreement, which the Parties hope to be able to finalize within the next fourteen (14) days.

So that the Parties may finalize these negotiations in good faith and without the threat of imminent deadlines, they respectfully request that the Court stay discovery for a further fourteen (14) days. At the end of this period, the Parties will advise the Court whether they have been able to finalize their written agreement and, if not, will submit to the Court a proposed revised discovery schedule.

2

October 5, 2020

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP

s/ Mark Berkowitz

Mark Berkowitz

cc: All Counsel of Record via ECF

The parties' request to extend the stay in this case to finalize their settlement negotiations (ECF No. 116) is GRANTED. The parties' discovery deadlines are stayed through **Tuesday**, **October 20**, **2020**. The parties are directed to file a joint letter by **Wednesday**, **October 21**, **2020**, stating whether they were able to reach a settlement. If the parties are not able to reach a settlement, the letter must attach a proposed revised discovery schedule.

SO-ORDERED 10/6/2020

United States Mediatrate ludge